

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE:

Case 25-01384-JD

Jacqueline Elizabeth Ard  
Terry Frank Nicola

NOTICE OF HEARING ON  
CHAPTER 13 TRUSTEE'S  
OBJECTION TO EXEMPTIONS

Debtors.

Chapter 13

The Chapter 13 Trustee has filed papers with the court to object to the exemptions claimed by the Debtors.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to [relief sought in motion or objection], or if you want the court to consider your views on the objection, then **within twenty one (21) days of service of this notice**, you or your attorney must:

File with the court a written response, return, or objection at:

1100 Laurel Street  
Columbia, SC 29201

Responses, returns, or objections filed by an attorney must be electronically filed in [ecf.scb.uscourts.gov](https://ecf.scb.uscourts.gov).

If you mail your response, return, or objection to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

The Trustee will be served with a response by electronic means, upon the filing of the pleading with the Court.

You must also attend the hearing scheduled to be heard on July 23, 2025 at 10:30 p.m. at the United States Bankruptcy Court, 145 King Street, Room 225, Charleston, SC 29401.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief prior to the scheduled hearing date, if determined to be appropriate.

/s/ James Wyman

James Wyman, Trustee Dist Ct ID 5552  
Beth Renno, Staff Attorney Dist Ct ID 5627  
Office of the Chapter 13 Trustee  
P.O. Box 997  
Mt. Pleasant, SC 29465-0997  
Tel. (843) 388-9844  
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The Chapter 13 Trustee hereby objects to the following exemptions claimed by the Debtors:

1. Exemptions claimed under SC Code Ann §33-41-720(2)(c), because the code section is not an exemption statute, and because the code section applies to partnership property. Debtors do not list any interests in partnerships in the Schedules (in Schedule A/B #19 or 42), but do list interests in two LLCs.
2. Exemptions claimed pursuant to SC Code Ann §15-41-30(A)(1)(a), as the Debtors do not appear to have a principal residence. Debtors assert interests in 9 parcels of real estate, and assert 6 of those interests as either 'domicile' or 'second home.'
3. Exemptions claimed under SC Code Ann §15-41-30(a)(2)(3) and (4) as it appears that the majority of the assets claimed as exempt are not "held primarily for the personal, family, or household use of the debtor or a dependent of the debtor" and the total values exceed the allowed amount of those exemptions.
4. Exemptions claimed under SC Code Ann §15-41-30(a)(7) because it does not appear that the Debtors have unused exemptions under items (1) through (6) to which the "wildcard" exemption might apply.
5. Exemptions claimed under any SC Code section unless the Debtors testify under oath that they lived in South Carolina for the 180 days immediately preceding the 730 day period immediately preceding the date of filing the petition, as the information disclosing their domicile(s) during this period is not disclosed on the Statement of Financial Affairs #2, and it appears that for the 730 days prior to filing, they resided out of state.

6. Exemptions claimed under SC Code Ann §15-41-30(a)(14) and 11 U.S.C. §522(b)(3)(C), as the assets are not described as ERISA qualified, or exempt from taxation under any section of the Internal Revenue Code.

NOW, THEREFORE, upon good cause shown, Trustee asks that the exemptions be denied.

This day, June 4, 2025

/s/ James Wyman  
James Wyman, Trustee Dist Ct ID 5552  
Beth Renno, Staff Attorney Dist Ct ID 5627  
Office of the Chapter 13 Trustee  
P.O. Box 997  
Mt. Pleasant, SC 29465-0997  
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CERTIFICATE OF SERVICE  
OF CHAPTER 13 TRUSTEE'S  
OBJECTION TO EXEMPTIONS

Chapter 13

I hereby certify that I have served the foregoing via U.S. Mail, postage attached, to the following:

Jacqueline Elizabeth Ard  
21215 Dartmouth Dr  
Southfield MI 48076

Terry Frank Nicola  
21215 Dartmouth Dr  
Southfield MI 48076

Electronic service will be provided to the United States Trustee.

This day, June 4, 2025

/s/ Beth Renno  
Beth Renno  
Office of the Chapter 13 Trustee